

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

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CLERK-ALBUQUERQUE

STATE OF NEW MEXICO <i>ex rel.</i>)	
State Engineer.)	
)	
Plaintiff.)	69cv07941 JEC-ACE
v.)	
)	
RAMON ARAGON, <i>et al.</i>)	RIO CHAMA STREAM SYSTEM
)	Section 7: Tierra Amarilla, Rio Brazos,
)	Rutheron & Plaza Blanca. Canones Creek,
Defendants.)	Village of Chama

STATEMENT OF OMITTED CLAIM

COMES NOW the Archdiocese of Santa Fe ("Archdiocese"), by and through its attorneys of record, Swaim, Schrandt & Davidson, P.C., and provides the Court notice of its claim of water rights.

The Archdiocese claims a water right on approximately four (4) irrigated acres on the Santo Nino Parish property, in Tierra Amarilla, New Mexico, described as:

East of ground water well under New Mexico Office of the State Engineer File RG-28013, and adjacent to the Tierra Amarilla Community Ditch, as depicted on the Map No. CHTA-4 of the Rio Chama Hydrographic Survey, Rito de Tierra Amarilla Section, dated January 12, 2001. (See Exhibit "A" attached and area of detail in red.)

and more particularly described in the three (3) deeds attached hereto as Exhibits "B," "C," and "D."

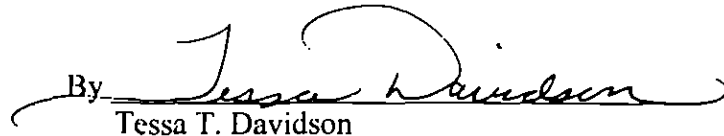
The Archdiocese is a member of both the Garaparta Acequia and the Acequia Madre de Tierra Amarilla. See Exhibit "E" attached. The Archdiocese requests a priority date of between 1860 and 1864 for its claim of water rights for the Santo Nino Parish.

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This priority date is consistent with that asserted by both the Garaparta Acequia and the Acequia Madre de Tierra Amarilla.

We respectfully request that the New Mexico Office of the State Engineer issue an Offer of Judgment consistent with our claim.

SWAIM, SCHRANDT & DAVIDSON, P.C.

By  Tessa T. Davidson

Amy I. Haas

Attorneys for the Archdiocese of Santa Fe

4830 Juan Tabo N.E., Suite F

Albuquerque, New Mexico 87111

(505) 237-0064

CERTIFICATE OF MAILING

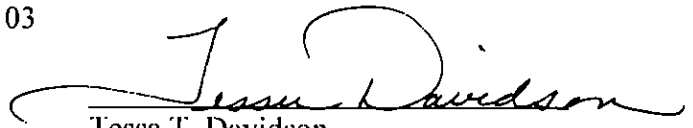
I hereby certify that a true and correct copy of the foregoing Statement of Omitted Claim was mailed the 17th day of Sept, 2004, to the following:

Vickie L. Gabin, Special Master
U.S. District Court, U.S. Courthouse
P.O. Box 2384
Santa Fe, New Mexico 87504-2384

Darcy Bushnell, Water Rights Attorney
United States District Court
District of New Mexico
333 Lomas Blvd. NW, Suite 610
Albuquerque, New Mexico 87102-2276

Edward G. Newville
Special Assistant Attorney General
State of New Mexico
Office of the State Engineer
P. O. Box 25102
Santa Fe, New Mexico 87504-5102

John W. Utton
Sheehan, Sheehan & Stelzner, P.A.
P. O. Box 271
Albuquerque, NM 87103


Tessa T. Davidson
Amy I. Haas

SAARC00401\stmt. omitted.claimSN

**THE EXHIBITS ATTACHED TO
THIS PLEADING ARE TOO
VOLUMINOUS TO SCAN. SAID
EXHIBITS ARE ATTACHED TO THE
ORIGINAL PLEADING IN THE CASE
FILE WHICH IS LOCATED IN THE
RECORDS DEPARTMENT, U.S.
DISTRICT COURT CLERK'S
OFFICE...**